

POSITION DESCRIPTION (Read Instructions on reverse before completing)		1. DUTY LOCATION Washington, DC		2. POSITION NUMBER AR-5-94	
3. CLASSIFICATION ACTION					
4. REFERENCE OF SERIES AND DATE OF STANDARDS USED TO CLASSIFY THIS POSITION GS-905 10/59					
b. TITLE		SERV c.	SERIES d.	GRADE e.	NSF-FC f.
OFFICIAL ALLOCATION	Senior Attorney/Advisor <i>Attorney-Adviser (Head)</i>	GS	905	13	
4. SUPERVISOR'S RECOMMENDATION	Senior Attorney/Advisor	GS	905	13	
5. ORGANIZATIONAL TITLE OF POSITION (if any) Acting Chief Regional/State/Local Coordination Section		6. NAME OF EMPLOYEE <i>Anne-Marie Cooney</i>			
7. ORGANIZATION (Give complete organization breakdown)					
a. U.S. Environmental Protection Agency		b. Field Operations & Compliance Policy Branch			
c. Asst. Administrator for Air and Radiation		d. Regional/State/Local Coordination Section			
e. Office of Mobile Sources		f. Field Operations and Support Division			
g. Field Operations and Support Division		h. DIPS ORGANIZATION CODE 64063401			
<p>8. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out government functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.</p>					
a. TYPED NAME AND TITLE OF IMMEDIATE SUPERVISOR Barry D. Hussbaum, Chief Field Operations & Compliance Policy Branch		b. TYPED NAME AND TITLE OF SECOND LEVEL SUPERVISOR Richard G. Kozlowski, Director Field Operations and Support Division			
c. SIGNATURE <i>Barry D. Hussbaum</i>	d. DATE 5/24/85	e. SIGNATURE <i>Richard G. Kozlowski</i>	f. DATE 5/24/85		
9. OFFICIAL CLASSIFICATION CERTIFICATION					
a. SIGNATURE OF CLASSIFICATION OFFICIAL <i>Charles F. Norton</i>		b. DATE 6-5-85			
c. BARGAINING UNIT DESIGNATION <input checked="" type="checkbox"/> PROFESSIONAL <input type="checkbox"/> NONPROFESSIONAL		d. FAIR LABOR STANDARDS ACT <input type="checkbox"/> NONEXEMPT <input checked="" type="checkbox"/> EXEMPT			
e. CHECK ONE <input checked="" type="checkbox"/> NONSUPERVISORY <input type="checkbox"/> SUPERVISORY <input type="checkbox"/> MANAGERIAL					
10. REMARKS Replaces p.d.# AR-4-85, GS-905-13. This person has no contract duties. <i>all Manual Chief, RSL Coord Section</i>					
11. THIS POSITION HAS <input checked="" type="checkbox"/> NO KNOWN PROMOTION POTENTIAL <input type="checkbox"/> KNOWN PROMOTION POTENTIAL TO GRADE _____ IF POSITION DEVELOPS AS PLANNED AND EMPLOYEE PROGRESSES SATISFACTORILY					12. CLC 601
13. ANNUAL POSITION CLASSIFICATION CERTIFICATION					14. DISTRIBUTION
a. SUPERVISOR	INITIALS				a. EMPLOYEE
	DATE				b. PERSONNEL FOLDER
b. CLASSIFICATION OFFICIAL	INITIALS				c. SUPERVISOR
	DATE				d. CLASSIFICATION
					e. ORGANIZATION
					f. SERIES
					g.
					h.
15. DUTIES AND RESPONSIBILITIES Type on plain bond paper and attach to this form. Use format shown on reverse.					

Attorney/Advisor
GS-905-13

I. SUPERVISORY CONTROL

This position is located in the Regional/State/Local Coordination Section of the Field Operations and Compliance Policy Branch of the Field Operations and Support Division. The incumbent works under the general supervision of the Section Chief. The incumbent is expected to carry out complex legal tasks assigned to him/her with a minimum of supervision and to use considerable independence of judgement in their discharge. The incumbent is expected to advise senior management on complex legal matters and to review the initial work product of Section staff members and assist them on complex legal matters. Completed work is expected to be technically correct, but is subject to review for consistency with Agency and Division policy.

II. MAJOR DUTIES AND RESPONSIBILITIES

1. Conducts liaison with Regional Offices, State and local governments, industry and private organizations. Responsible for advising and persuading these groups regarding legal and technical requirements of the Federal tampering prohibition and anti-fuel switching regulations. Consults with and advises these groups regarding legal requirements for State Implementation Plans, and the establishment and effective operation of State and local antitampering and anti-fuel switching programs. This is usually done independent of all but the most general supervision. Provides direct assistance in drafting tampering and fuel switching regulations and laws to State and local governments.

2. Develops enforcement strategies and programs, including regulatory packages, to implement and enforce provisions of the Clean Air Act (Act). Researches legal issues involved in these programs and prepares memoranda and issue papers which are used by upper management in formulating enforcement strategies and policies. Reviews the initial work product of other section members performing such work.

3. Performs independent legal review of proposed strategies, policies and programs and carefully expresses possible limitations, as well as advantages of proposed strategies. Drafts position papers, policy and issue statements, and legal memoranda regarding the enforcement of specific sections of the Act and legislative amendments thereto. Conducts the legal research necessary to support any legal theories and strategies proposed.

4. Advises Supervisor on the legal interpretation and implementation of particular aspects of the motor vehicle pollution control program regarding the tampering and anti-switching program and other issues which arise within the Division's responsibility.

5. Incumbent has responsibility for reviewing State Implementation Plans which include tampering and fuel switching programs for enforceability under statutory and regulatory requirements. Recommends approval or disapproval of SIP provisions and amendments.

6. Develops model State and local mobile source enforcement legislation. This involves coordination with other EPA components, recognized experts in the mobile source field, and established organizations. Comments for Division upon proposed State and local legislation by evaluating effectiveness and enforceability. Evaluates the operation and effectiveness of State and local inspection programs. This is done independent of all but the most general supervision.

7. Responds to Congressional and general inquiries to provide information concerning the legal and technical aspects of program and policies generated by the section staff. Responds to Freedom of Information Act requests and coordinates responses with the Office of General Counsel, if needed. Advises Section Chief about confidentiality and privacy issues.

III. QUALIFICATIONS

1. The position requires demonstrated legal competence in both a technical and legal capacity.

- a. The incumbent must be a member of a bar of one of the jurisdictions of the United States.
- b. The incumbent should have a working knowledge of the principles of exhaust emissions control technology and the ability to work on complex technical programs and projects independent of direct supervision.

2. The incumbent must have the ability to deal effectively with high-level officials of other government agencies (Federal, State and local), private industry and trade associations.

3. The incumbent must be able to express complex legal and technical positions in a clear and concise manner both orally and in writing.

IV. EXPRESS LIMITATIONS OF AUTHORITY

1. The incumbent's duties will, under no circumstances, extend to issuing legal opinions or final decisions regarding legal sufficiency of State or Federal laws or interpretations of Federal laws, regulations, guidelines or their implementation.

2. The incumbent is not authorized to sign any documents as attorney for the Environmental Protection Agency.

3. The incumbent is responsible for coordinating legal advice with OGC and assuring that such legal advice is consistent with OGC policies, opinions, and interpretations.